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M.D., and Randy H. Thurman*

11
12 [Additional parties and counsel identified on
signature page]

13
14 **UNITED STATES DISTRICT COURT**
15 **SOUTHERN DISTRICT OF CALIFORNIA**

16 WEST PALM BEACH POLICE PENSION
17 FUND, Individually and on Behalf of All Others
Similarly Situated,

18 Plaintiff,

19 vs.

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21 CARDIONET, INC., ARIE COHEN, JAMES M.
SWEENEY, MARTIN P. GALVAN, FRED
MIDDLETON, WOODROW MYERS JR., M.D.,
ERIC N. PRYSTOWSKY, M.D., HARRY T.
REIN, ROBERT J. RUBIN, M.D., RANDY H.
THURMAN, BARCLAY'S CAPITAL, INC.,
CITIGROUP GLOBAL MARKETS INC.,
LEERINK SWANN LLC, THOMAS WEISEL
PARTNERS LLC, BANC OF AMERICA
SECURITIES LLC and COWEN AND
COMPANY,

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28 Defendants.

Civil Action No.: 3:10-cv-00711-L -NLS

**NOTICE OF DEFENDANTS'
JOINT MOTION TO TRANSFER
THE ACTION TO THE
EASTERN DISTRICT OF
PENNSYLVANIA PURSUANT TO 28
U.S.C. § 1404(a)**

Date: June 28, 2010
Time: 10:30 a.m.
Judge: The Hon. M. James Lorenz

ORAL ARGUMENT REQUESTED

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE THAT on June 28, 2010 at 10:30 am, before the Honorable M.
3 James Lorenz, United States District Court for the Southern District of California, 940 Front
4 Street, San Diego, CA 92101-8900, all defendants in this action - CardioNet, Inc., Arie Cohen,
5 James M. Sweeney, Martin P. Galvan, Fred Middleton, Woodrow Myers Jr., M.D., Eric N.
6 Prystowsky, M.D., Harry T. Rein, Robert J. Rubin, M.D., Randy H. Thurman, Barclays Capital,
7 Inc. (erroneously named as Barclay's Capital, Inc.), Citigroup Global Markets Inc., Leerink
8 Swann LLC, Thomas Weisel Partners LLC, Banc of America Securities LLC and Cowen and
9 Company – will, and hereby do, move the Court pursuant to 28 U.S.C. § 1404(a) for an order
10 transferring this action to the United States District Court for the Eastern District of Pennsylvania.

11 This motion is based on this Notice of Motion, the accompanying Memorandum of Law in
12 support of Defendants' Joint Motion to Transfer and exhibits thereto, the accompanying
13 Declaration of Philip G. Leone, the accompanying Declaration of Joseph E. Floren, all pleadings
14 and papers filed herein, oral argument of counsel, and any other material that may properly be
15 submitted at the hearing.

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1 Dated: April 7, 2010

2 Respectfully submitted,

3 MORGAN, LEWIS & BOCKIUS LLP

4 By: _____/s/

5 Joseph E. Floren

6 *Attorneys for CardioNet Defendants*

7 GIBSON DUNN & CRUTCHER LLP

8 By: _____/s/

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Citigroup Global Markets Inc., Leerink Swann
LLC, Thomas Weisel Partners LLC, Banc of
America Securities LLC and Cowen and
Company

17 **SIGNATURE CERTIFICATION**

18 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and
19 Procedures Manual, I hereby certify that the content of this document is acceptable to Dean
20 Kitchens, counsel for Barclays Capital, Inc. (erroneously named as Barclay's Capital, Inc.),
21 Citigroup Global Markets Inc., Leerink Swann LLC, Thomas Weisel Partners LLC, Banc of
22 America Securities LLC and Cowen and Company, and that I have obtained Mr. Kitchens'
23 authorization to affix his electronic signature to this document.

24 Dated: April 7, 2010

25 By: _____/s/

26 Joseph E. Floren